

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNI-CON FLOORS, INC.)	
Plaintiff,)	
)	
v.)	C.A. No.: 05-10463 NG
)	
BRICKLAYERS & ALLIED CRAFTSMEN)	
UNION, LOCAL 3 – EASTERN)	
MASSACHUSETTS)	
Defendant.)	
_____)	

DEFENDANT’S MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Bricklayers and Allied Craftsmen Local 3, Eastern Massachusetts hereby moves the Court to enter judgment in its favor as a matter of law. In support of its motion, Defendant submits the attached Memorandum of Law.

Respectfully submitted

For the Defendant
BRICKLAYERS AND ALLIED
CRAFTSMEN LOCAL 3
EASTERN MASSACHUSETTS
By its Attorney,

/s/ Jonathan M. Conti
Jonathan M. Conti, BBO#657163
Feinberg, Campbell & Zack, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

Dated this 16th of November, 2005.

CERTIFICATE OF COMPLIANCE

I, Jonathan M. Conti, hereby certify that pursuant to Local Rule 7.1, I have conferred in good faith with counsel of record in this matter.

Certificate of Service

I, Jonathan M. Conti, counsel for Defendant Bricklayers and Allied Craftsmen Local No. 3, Eastern Massachusetts, hereby certify that on this date I served a copy of the within document by first class mail, postage prepaid, to David M. Fleury, Esq., Carmichael & Zajac, P.C. 170 High Street, Taunton, MA 02780.

Dated this 16th day of November, 2005.

/s/ Jonathan M. Conti

Jonathan M. Conti